

**OFFICE OF THE MISSISSIPPI SECRETARY OF STATE BUSINESS
REGULATION AND ENFORCEMENT DIVISION**

IN THE MATTER OF:

**THE NATURE CONSERVANCY
4245 North Fairfax Drive, Suite 100
Arlington, Virginia 22203-1606**

Respondent

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)**ADMINISTRATIVE PROCEEDING**
)**NUMBER: C-06-0267**
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CONSENT AGREEMENT

I.

The Business Regulation and Enforcement Division of the Mississippi Secretary of State (hereinafter "Division"), having the power to administer and to provide for the enforcement of all provisions of the Mississippi Charitable Solicitations Act (hereinafter "Act"), and Respondent do hereby enter into this Consent Agreement in resolution of the following allegations by the Division of violations of certain provisions of the Act:

1. Respondent is a "charitable organization" as defined in the Act. Miss. Code Ann. § 79-11-501(a)(1) (2001);
2. Respondent indicates that it made six thousand two hundred eighty four (6,284) solicitations to Mississippi residents during the period April 22, 2006, through June 23, 2006. Respondent indicates that it received four hundred eight (408) donations from Mississippi residents from April 22, 2006, through June 23, 2006. Respondent further reveals that it received forty six thousand nine hundred fifty four dollars (\$46,954) from Mississippi residents from April 22, 2006, through June 23, 2006;
3. From April 22, 2006, through June 23, 2006, no effective registration statement of the Respondent was on file with the Division;
4. Therefore, Respondent unlawfully continued to solicit contributions in the State of Mississippi during the period that the organization should have filed, but failed to file, a complete renewal. Thus, the solicitations conducted subsequent to April 22, 2006, were violative of Miss. Code Ann. §79-11-503(6) (Rev. 2001).

5. This is Respondent's fourth (4th) violation of Miss. Code Ann. 79-11-503(6).

II.

Respondent, under the terms of this Consent Agreement and solely for the purpose of resolving the foregoing allegations, stipulates without a hearing to the matters set forth above in Paragraph I and hereby consents to the issuance of this Consent Agreement and to the undertakings contained herein with no formal administrative hearing and determination of wrongdoing. Furthermore, the undersigned agent for the Respondent acknowledges that he has been lawfully vested with the authority to enter into this Consent Agreement on behalf of the Respondent.

III.

THEREFORE, in consideration of a final resolution of the matters set forth herein, the Division and Respondent hereby agree and stipulate as follows:

1. Respondent stipulates to the jurisdiction of the Division as to all matters contained herein under the authority of the Act and acknowledges that the issuance of this Consent Agreement is solely for the purpose of resolving the matters set forth herein.
2. The Division shall impose a penalty upon the Respondent in the amount of twenty five thousand dollars (\$25,000.00), fifteen thousand dollars (\$15,000.00) of which shall be suspended unless Respondent violates any provisions of the Act and/or Rules promulgated thereunder at any time subsequent to the execution of this agreement. If Respondent violates any provisions of the Act and/or Rules subsequent to this agreement, then (1) Respondent shall immediately remit payment of the fifteen thousand dollar (\$15,000.00) penalty to the Division, payable to the "Mississippi Secretary of State," and (2) the Division shall impose an additional penalty taking into consideration that this would be an offense in addition to those detailed in the Division's Summary Cease and Desist Order and Notice of Intent to Deny registration and Impose Administrative Penalty.

3. Respondent shall remit payment of ten thousand dollars (\$10,000.00) to the Division, payable to the "Mississippi Secretary of State" upon execution of this Agreement.
4. The Division hereby lifts its Summary Cease and Desist Order and Notice of Intent to Deny Registration and Impose Administrative Penalty issued on June 29, 2006.
5. This Consent Agreement is in resolution of the matters contained herein. As a result of this Consent Agreement, the matters contained herein cannot be used as a basis for action by the Division except in determining any penalty as may be imposed by the Division for any future violations of the Act committed by the Respondent and as set forth below.
6. Respondent agrees that it will comply with the provisions of the Act as currently in effect or as may be subsequently amended.

IV.

In the event Respondent fails or neglects to comply with any of the terms, stipulations or undertakings set forth in this Consent Agreement, the Division may, without notice to the Respondent, unilaterally rescind this Agreement and institute any legal or administrative proceedings it deems appropriate including, but not limited to, proceedings to address the matters set forth herein.

ERIC CLARK
Secretary of State

By: _____

JAMES O. NELSON, II
Assistant Secretary of State

Date: _____

THE NATURE CONSERVANCY

Sign Name: _____

Print Name: _____

Title: _____